

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
FINANCIAL SERVICES INSTITUTE, INC.,
FINANCIAL SERVICES ROUNDTABLE,
GREATER IRVING-LAS COLINAS
CHAMBER OF COMMERCE, HUMBLE
AREA CHAMBER OF COMMERCE DBA
LAKE HOUSTON AREA CHAMBER OF
COMMERCE, INSURED RETIREMENT
INSTITUTE, LUBBOCK CHAMBER OF
COMMERCE, SECURITIES INDUSTRY
AND FINANCIAL MARKETS
ASSOCIATION, and
TEXAS ASSOCIATION OF BUSINESS,

Plaintiffs,

v.

EDWARD HUGLER, ACTING
SECRETARY OF LABOR,
and
UNITED STATES
DEPARTMENT OF LABOR,

Defendants.

Civil Action No. 3:16-cv-1476-M
Consolidated with:

3:16-cv-1530-C

3:16-cv-1537-N

PLAINTIFFS' NOTICE OF EXECUTIVE ACTION

Plaintiffs wish to advise the Court of two developments on last Friday, February 3, that concern the “Fiduciary Rule” currently before the Court. First, the President issued a memorandum directing the Secretary of Labor to conduct a review of the Fiduciary Rule and, depending on the result of that review, to consider rescinding or revising the Rule. Second, following issuance of the memorandum, the Acting Secretary of Labor stated that the Department “will now consider its legal options to delay the applicability of the date as we comply with the President’s memorandum.” The President’s memorandum and the Acting Secretary’s press statement are attached hereto.

Plaintiffs continue to seek a prompt ruling from this Court and await a decision as indicated in the Court’s order of last Thursday, February 2.

Dated: February 6, 2017

Respectfully submitted,

s/ Eugene Scalia

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 6, 2017, the foregoing document was electronically submitted with the clerk of the court for the United States District Court, Northern District of Texas, using the electronic case file system of the court. I hereby certify that I have served all counsel of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

s/ Eugene Scalia